

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonFILED LODGED
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CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA
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In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)INFORMATION ASSOCIATED WITH ELEVEN
FACEBOOK ACCOUNTS

Case No. MJ20-SD57

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 USC § 1073

Offense Description
Unlawful Flight to Avoid Prosecution

The application is based on these facts:

See Affidavit of FBI Special Agent Terrance G. Postma, attached hereto and incorporated by reference herein.

Continued on the attached sheet.
 Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

TLF
by reliable electronic
means under
Fed. R. Crim. P.
41(d).

Sworn to before me and signed in my presence.

Date: 03/16/2020

City and state: Tacoma, Washington

Terrance G. Postma
Applicant's signature

Terrance G. Postma, Special Agent
Printed name and title

Theresa L. Fricke
Judge's signature

Hon. Theresa L. Fricke United States Magistrate Judge
Printed name and title

1 **AFFIDAVIT**
2 STATE OF WASHINGTON)
3) SS
4 COUNTY OF PIERCE)

I, Terrance G. Postma, being first duly sworn, hereby depose and state as follows:

BACKGROUND

8 1. I have been employed as a Special Agent of the FBI since June 2002 and
9 am currently assigned to the Seattle Division's Tacoma Resident Agency. I am
10 responsible for investigations of violent crime, fugitives, and bank robbery. As a federal
11 agent, I am authorized to investigate violations of laws of the United States and to
12 execute warrants issued under the authority of the United States.

13 2. The facts in this affidavit come from my personal observations, my
14 training and experience, and information obtained from other agents and witnesses. This
15 affidavit is intended to show merely that there is sufficient probable cause for the
16 requested warrant and does not set forth all of my knowledge about this matter.

17 3. Based on my training and experience and the facts as set forth in this
18 affidavit, there is probable cause to search the information described in Attachment A for
19 the purpose of locating and apprehending Santiago Mederos who has a federal arrest
20 warrant issued in the Western District of Washington for a charge of Unlawful Flight to
21 Avoid Prosecution, Title 18, United States Code, Sections 1073 (MJ16-5179) arising
22 from his flight from the Western District of Washington to avoid charges of murder, as
23 described below. There is also probable cause to search the information described in
24 Attachment A for evidence in the fugitive investigation, as described in Attachment B.

PURPOSE OF AFFIDAVIT

26 4. I make this affidavit in support of an application for a search warrant for
27 information associated with the following Facebook accounts (“Subject Accounts”):

1 (1) Facebook user ID 100040501718452 (Subject Account 1), registered
2 under the username Antono Mendoza,

3 (2) Facebook user ID 100036795438133 (Subject Account 2), registered
4 under the username Antony Villa,

5 (3) Facebook user ID 100027212567730 (Subject Account 3), registered
6 under the username Juan Pablo Olvera,

7 (4) Facebook user ID 100043012699881 (Subject Account 4), registered
8 under the username Antony Beltran,

9 (5) Facebook user ID 100034984732363 (Subject Account 5), registered
10 under the username Juan Pablo Olvera,

11 (6) Facebook user ID 100027943187927 (Subject Account 6), registered
12 under the username Olveta Juan Pablo,

13 (7) Facebook user ID 100033232150177 (Subject Account 7), registered
14 under the username Nico Olvera,

15 (8) Facebook user ID 100021247950775 (Subject Account 8), registered
16 under the username Nico Olvera,

17 (9) Facebook user ID 100027500538828 (Subject Account 9), registered
18 under the username Anton Villa,

19 (10) Facebook user ID 100032649540161 (Subject Account 10),
20 registered under the username Anton Villa Bel, and

21 (11) Facebook user ID 100034418213234 (Subject Account 11),
22 registered under the username Maricarmen Olvera.

23 5. All of the requested information is stored at premises owned, maintained,
24 controlled, or operated by Facebook, a social networking company headquartered in
25 Menlo Park, California. The information to be searched is described in the following
26 paragraphs and in Attachment A. This affidavit is made in support of an application for a
27 search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require
28

1 Facebook to disclose to the government records and other information in its possession,
2 pertaining to the subscriber or customer associated with Subject Accounts.

3 **PRIOR APPLICATION**

4 6. The Court issued a prior search warrant for Subject Accounts 1 and 2 on
5 February 7, 2020, which the Court granted under MJ20-5016. The also issued a prior
6 search warrant for all Subject Accounts on February 14, 2020, under MJ20-5027. A new
7 order is necessary in order to capture activity since February 14, 2020.

8 **SUMMARY OF PROBABLE CAUSE**

9 7. In 2010, Santiago Mederos fled from Tacoma to Mexico after the murder
10 of Camille Love and Jose Lucas. Santiago Mederos has outstanding warrants for the
11 respective murders, and this Court has charged him for violation of Unlawful Flight to
12 Avoid Prosecution, Title 18, United States Code, Sections 1073 on September 30, 2016
13 under Case No. MJ16-5179.

14 8. As described below, investigation by law enforcement has led to a
15 Mexican phone number that is associated with a WhatsApp account that posted a picture
16 of Santiago Mederos. The user of that number also has a Facebook account (Subject
17 Account 1), which has shared a machine with Subject Account 2 (both accounts logged
18 onto Facebook from the same device). Both Subject Account 1 and 2 are registered
19 under aliases of Santiago Mederos. The remaining accounts are all related to Subject
20 Accounts 1 and 2 and to each other, as they shared machine cookies with the other
21 accounts as described in more detail below.

22 **STATEMENT OF PROBABLE CAUSE**

23 **A. SANTIAGO MEDEROS AND THE LOVE AND LUCAS MURDERS**

24 9. On February 7, 2010, Tacoma Police Department (TPD) officers
25 responded to the 5900 block of Portland Avenue regarding a shooting. At the scene, TPD
26 officers and detectives discovered that Camile Love was the shooting victim. Love died
27 from the injuries sustained in the shooting. Based on interviews of witnesses and
28 informants who admitted to participation in the shooting, the TPD detectives concluded

1 that Santiago Mederos was the prime suspect in Love's murder and that the shooting was
 2 a result of a gang turf war.

3 10. On March 25, 2010, a homicide occurred within the city of Tacoma. TPD
 4 detectives identified the homicide victim as Jose Saul Lucas and identified the prime
 5 suspect in his murder as Santiago Mederos. Based on interviews of two witnesses, TPD
 6 detectives concluded that Santiago Mederos, a known member of the Eastside Lokotes
 7 Sureños (ELS) gang, and four other ELS gang members went to the residence of a rival
 8 gang member, Reynaldo Orozco, to collect money. When they could not find the rival
 9 gang member, they broke into and damaged Orozco's car, which was parked at the
 10 residence. When three individuals, who lived with Orozco, realized that the ELS gang
 11 members were vandalizing Orozco's vehicle, they confronted the gang members and a
 12 fight ensued. While attempting to flee the scene, Santiago Mederos and his accomplices
 13 fired a single gunshot, which struck and killed one of Orozco's roommates, Jose Saul
 14 Lucas.

15 11. As a result of their initial investigation, TPD detectives obtained an arrest
 16 warrant for Santiago Mederos for his involvement in the homicide. Further investigation,
 17 to include interviews with witnesses, friends and family members, revealed that Santiago
 18 Mederos is aware that he has a warrant for his arrest and has subsequently gone into
 19 hiding.

20 12. Ashley Rios, a friend of Santiago Mederos, stated in an interview with
 21 TPD detectives that she travelled to Mexico with Santiago Mederos to his Aunt's
 22 residence in Guerrero, Mexico, shortly after the Lucas murder.

23 13. Efforts to date to locate Santiago Mederos in Mexico have been
 24 unsuccessful.

25 **B. SUBJECT ACCOUNTS**

26 14. **Summary of Subject Accounts.** During the course of this investigation,
 27 law enforcement located a Mexican phone number, +52-7341170819, which has been
 28 used to contact Mederos family members and has been used for a WhatsApp account

1 with a profile picture of Santiago Mederos. That same number is associated with a
 2 Facebook Account, Subject Account 1. Other information from Facebook generated by
 3 warrants and orders of this Court have revealed a network of other accounts that share
 4 "machine cookies" with Subject Account 1 and with each other. As explained below, a
 5 machine cookie identifies the particular machine (phone, computer, or tablet) used to
 6 access an account, and a shared cookie indicates that two accounts were accessed on the
 7 same machine, which means the users are the same person or someone in close proximity
 8 to the other user. Thus, there is probable cause to believe that information from each of
 9 the Subject Accounts contains evidence about the location of Santiago Mederos.

10 15. In the course of this investigation, law enforcement has reviewed
 11 telephone records of members of the Mederos family and records of telephone numbers
 12 that are in communication with members of the Mederos family. In the course of
 13 reviewing those records, law enforcement identified a number, +52-7341170819.
 14 According to call records, the number ending in 0819 is in communication with
 15 individuals who are close to the Mederos family.

16 16. An online search of publicly available information indicate that the user
 17 of the number ending in 0819 has a WhatsApp account under the same telephone
 18 number. The WhatsApp account included a public profile picture of an individual who
 19 resembles Santiago Mederos and an unknown adult female and an unknown juvenile
 20 female. Law enforcement has reviewed the WhatsApp profile picture associated with the
 21 number ending in 0819 and observed that the male individual in the WhatsApp profile
 22 picture has a tattoo on the right side of his neck and on his right shoulder. These tattoos
 23 and the appearance of the individual's face match a photograph of Santiago Mederos that
 24 law enforcement obtained from a prior Facebook search warrant return in this
 25 investigation.

26 17. Based on review of records returned to investigators by Facebook, Inc.
 27 pursuant to a prior order of this Court, the user of the number ending in 0819 also has a
 28 Facebook account registered under the same number ending in 0819 (Subject Account 1).

1 Subject Account 1 is registered under the username “Antono Mendoza,” and prior search
 2 warrant returns indicate that variations of the name “Antonio,” like “Antono,” are
 3 common aliases for Santiago Mederos.

4 18. Open source research reveals that the username of Subject Account 2 is
 5 “Antony Villa.” Facebook records returned to investigators pursuant to an order of this
 6 Court revealed that the username for two other Facebook accounts known to have been
 7 previously used by Santiago Mederos are “Anthony Villa” and “Antonio Villa,” which is
 8 based on Mederos’s other family name, Villalba.

9 19. Based on review of records returned to investigators by Facebook, Inc.
 10 pursuant to a prior order of this court, Subject Account 1 and Subject Account 2 are
 11 linked by machine cookie, which means that two particular accounts have been accessed
 12 by the same individual machine (e.g., two Facebook accounts that have been accessed on
 13 the same phone). Such a “link” between two accounts indicates that the users are the
 14 same person or in close proximity to each other.

15 20. Open source research reveals that the username of Subject Account 3 is
 16 “Juan Pablo Olvera.” Open source research reveals that the user of Subject Account 3
 17 posted a photo to Subject Account 3 on February 1, 2020 that includes an individual that
 18 resembles Santiago Mederos. Review of the photo reveals that an individual in the photo
 19 has tattoos on the right side of his neck. The tattoos and the appearance of the
 20 individual’s face match a photograph of Santiago Mederos that law enforcement obtained
 21 from a prior Facebook search warrant return in this investigation.

22 21. Open source research reveals that the user of Subject Account 3 posted a
 23 photo to Subject Account 3 on December 2, 2019 that also includes an individual whose
 24 face matches a photograph of Santiago Mederos that law enforcement obtained from a
 25 prior Facebook search warrant in this investigation.

26 22. Open source research reveals that the username of Subject Account 4 is
 27 “Antony Beltran” and prior search warrant returns indicate that variations of “Antonio,”
 28 such as “Antony,” are common aliases for Santiago Mederos. “Beltran” is a family name

1 from Santiago Mederos's paternal grandmother, Elena Fresnares Beltran, with whom,
 2 according to a confidential human source, Santiago Mederos has previously resided with
 3 since fleeing to Mexico.

4 23. Based on review of records returned to investigators by Facebook, Inc.
 5 pursuant to a prior order of this court, Subject Account 2, Subject Account 3, and Subject
 6 Account 4 are linked by machine cookie, which means that these accounts have been
 7 accessed by the same individual machine. Such a "link" between two accounts indicates
 8 that the users are the same person or in close proximity to each other. Based on review of
 9 these same records Subject Account 2, Subject Account 3, and Subject Account 4 are also
 10 associated with mobile device Type LG-D693n, which means that Subject Account 2,
 11 Subject Account 3, and Subject Account 4 have all been accessed by this this particular
 12 Mobile Device Type.

13 24. Open source research reveals that the username of Subject Account 5 is
 14 "Juan Pablo Olvera" and that the username of Subject Account 6 is "Olvetia Juan Pablo."
 15 The usernames of Subject Account 3 and Subject Account 5 are the same name. The
 16 username of Subject Account 6 is a variation of the registered names for Subject
 17 Accounts 3 and 5. Further, based on review of records returned to investigators by
 18 Facebook, Inc. pursuant to a prior order of this Court, Subject Account 3, Subject
 19 Account 5, and Subject Account 6 are linked by machine cookie on two separate
 20 occasions, which means that these accounts have been accessed the same individual
 21 machine on two occasions. Such a "link" between the accounts indicates that the users
 22 are the same person or in close proximity to each other.

23 25. Open source research reveals that the username of Subject Account 7 is
 24 "Nico Olvera." Photos posted to Subject Account 7 are viewable by the public. On July
 25 4, 2019, a photo was posted in Mobile Uploads to Subject Account 7 along with a caption
 26 posted in English that states, "Feeling happy with Antony Villa, Claudia Perez, and
 27 Rigoberto Olvera." A viewer can click on each of the three names and will be directed
 28 to the Facebook account for that person. If a user clicks on the name Antony Villa they

1 will be directed to Subject Account 2. The picture that is posted depicts two adult males,
 2 one of which appears to be Santiago Mederos, one adult female, one juvenile male, and
 3 two juvenile females standing in front of a pink wall. A comment posted in Spanish by
 4 Subject Account 2 is roughly translated to state "This is always supporting the family in
 5 good times the bad and the worst but woe and want to simply support them in their
 6 studies."

7 26. Based on review of records returned to investigators by Facebook, Inc.
 8 pursuant to a prior order of this Court, Subject Account 3, Subject Account 6, and Subject
 9 Account 7 are linked by machine cookie, which means that these accounts have been
 10 accessed by the same individual machine. Such a "link" between two accounts indicates
 11 that the users are the same person or in close proximity to each other. Review of those
 12 same records also reveals that Subject Account 2 and Subject Account 7 exchange
 13 messages with each other.

14 27. Open source research reveals that the username of Subject Account 8 is
 15 "Nico Olvera." A profile picture posted to Subject Account 8 is the same picture posted
 16 in Mobile Uploads to Subject Account 7.

17 28. Based on review of records returned to investigators by Facebook, Inc.
 18 pursuant to a prior order of this court, Subject Account 7 and Subject Account 8 are
 19 linked by machine cookie, which means that two particular accounts have been accessed
 20 by the same individual machine. Such a "link" between two accounts indicates that the
 21 users are the same person or in close proximity to each other. Subject Account 7 and
 22 Subject Account 8 are also linked to Subject Account 2 by machine cookie.

23 29. Open source research reveals that the username of Subject Account 9 is
 24 "Anton Villa." As mentioned, prior search warrant returns indicate that variations of
 25 "Antonio," such as "Anton," are common aliases for Santiago Mederos. Facebook
 26 records returned to investigators pursuant to an order of this Court revealed that the
 27 username for two other Facebook accounts known to have been previously used by
 28

1 Santiago Mederos are “Anthony Villa” and “Antonio Villa,” which is based on
2 Mederos’s other family name, Villalba.

3 30. A profile photo posted to Subject Account 9 is a collage of eight photos
4 within the shape of a heart against a black brick wall. Two of the photos in the collage
5 include an individual who resembles Santiago Mederos. Review of those photos reveals
6 that an individual in them has tattoos on the right side of his neck. The tattoos and the
7 appearance of the individual’s face match a photograph of Santiago Mederos that law
8 enforcement obtained from a prior Facebook search warrant return in this investigation.
9 Review of records returned to investigators by Facebook, Inc. pursuant to a prior order of
10 this Court reveals that Subject Account 9 has sent messages to Subject Account 8.

11 31. Open source research reveals that the username of Subject Account 10 is
12 “Anton Villa Bel,” which contains the same username that appears to be an alias with
13 Subject Account 9, along with a variation of the Beltran name used in Subject Account 4.
14 Subject Account 10 has exchanged messages with Subject Account 7 and Subject
15 Account 8.

16 32. Open source research reveals that the username of Subject Account 11 is
17 “Maricarmen Olvera.” Open source research reveals that on February 8, 2012 the user of
18 Target Account 11 updated their cover photo. The user of Target Account 2 liked the
19 February 8, 2012, cover photo. Facebook records returned to investigators pursuant to an
20 order of this Court revealed that the account holder of Target Account 11 and Target
21 Account 4 responded to a text sent to the same phone number.

22 33. Based on review of records returned to investigators by Facebook, Inc.
23 pursuant to a prior order of this court, Subject Account 3, Subject Account 6, and Subject
24 Account 7 share machine cookies with Subject Account 11, which means that these
25 particular accounts have been accessed by the same individual machine as the others.
26 Such a “link” between the accounts indicates that the users are the same person or in
27 close proximity to each other.

1 **C. FACEBOOK INFORMATION STORAGE**

2 34. I am aware from my experience and training, and consultation with other
 3 investigators, of the following information about Facebook:

4 35. Facebook owns and operates a free-access social networking website of
 5 the same name that can be accessed at <http://www.facebook.com>. Facebook allows its
 6 users to establish accounts with Facebook, and users can then use their accounts to share
 7 written news, photographs, videos, and other information with other Facebook users, and
 8 sometimes with the public.

9 36. Facebook asks users to provide basic contact and personal identifying
 10 information to Facebook, either during the registration process or thereafter. This
 11 information may include the user's full name, birth date, gender, contact e-mail
 12 addresses, Facebook passwords, Facebook security questions and answers (for password
 13 retrieval), physical address (including city, state, and zip code), telephone numbers,
 14 screen names, websites, and other personal identifiers. Facebook also assigns a user
 15 identification number to each account.

16 37. I know from speaking with other law enforcement that "cookies" are
 17 small files placed by a server (such as those used by Facebook) on a device to track the
 18 user and potentially verify a user's authentication status across multiple sites or
 19 webpages. This cookie could be unique to a particular account (e.g., the Facebook
 20 account) or to a given device (e.g., the particular phone used to access the Facebook
 21 account). The next time a user visits a particular site or server, the server will ask for
 22 certain cookies to see if the server has interacted with that user before. Cookies can also
 23 be used to determine "machine cookie overlap," or multiple accounts that have been
 24 accessed by the same individual machine (e.g., two Facebook accounts that have been
 25 accessed on the same phone). The machine cookie overlap thus allows Facebook to track
 26 accounts that are "linked" to each other because the same user account (username on a
 27 computer) on the same device accessed multiple Facebook accounts. This can identify
 28 either multiple Facebook accounts used by the same person or used by different people

1 sharing the same user account and device. In either case, the machine cookie overlap
2 means that the users of the linked accounts are the same person or two people in close
3 proximity to each other.

4 38. Facebook users may join one or more groups or networks to connect and
5 interact with other users who are members of the same group or network. Facebook
6 assigns a group identification number to each group. A Facebook user can also connect
7 directly with individual Facebook users by sending each user a “Friend Request.” If the
8 recipient of a “Friend Request” accepts the request, then the two users will become
9 “Friends” for purposes of Facebook and can exchange communications or view
10 information about each other. Each Facebook user’s account includes a list of that user’s
11 “Friends” and a “News Feed,” which highlights information about the user’s “Friends,”
12 such as profile changes, upcoming events, and birthdays.

13 39. Facebook users can select different levels of privacy for the
14 communications and information associated with their Facebook accounts. By adjusting
15 these privacy settings, a Facebook user can make information available only to himself or
16 herself, to particular Facebook users, or to anyone with access to the Internet, including
17 people who are not Facebook users. A Facebook user can also create “lists” of Facebook
18 friends to facilitate the application of these privacy settings. Facebook accounts also
19 include other account settings that users can adjust to control, for example, the types of
20 notifications they receive from Facebook.

21 40. Facebook users can create profiles that include photographs, lists of
22 personal interests, and other information. Facebook users can also post “status” updates
23 about their whereabouts and actions, as well as links to videos, photographs, articles, and
24 other items available elsewhere on the Internet. Facebook users can also post information
25 about upcoming “events,” such as social occasions, by listing the event’s time, location,
26 host, and guest list. In addition, Facebook users can “check in” to particular locations or
27 add their geographic locations to their Facebook posts, thereby revealing their geographic
28 locations at particular dates and times. A particular user’s profile page also includes a

1 “Wall,” which is a space where the user and his or her “Friends” can post messages,
 2 attachments, and links that will typically be visible to anyone who can view the user’s
 3 profile.

4 41. Facebook allows users to upload photos and videos. It also provides users
 5 the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is
 6 tagged in a photo or video, he or she receives a notification of the tag and a link to see the
 7 photo or video. For Facebook’s purposes, the photos and videos associated with a user’s
 8 account will include all photos and videos uploaded by that user that have not been
 9 deleted, as well as all photos and videos uploaded by any user that have that user tagged
 10 in them.

11 42. Facebook users can exchange private messages on Facebook with other
 12 users. These messages, which are similar to e-mail messages, are sent to the recipient’s
 13 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well
 14 as other information. Facebook users can also post comments on the Facebook profiles
 15 of other users or on their own profiles; such comments are typically associated with a
 16 specific posting or item on the profile. In addition, Facebook has a Chat feature that
 17 allows users to send and receive instant messages through Facebook. These chat
 18 communications are stored in the chat history for the account. Facebook also has a Video
 19 Calling feature, and although Facebook does not record the calls themselves, it does keep
 20 records of the date of each call.

21 43. If a Facebook user does not want to interact with another user on
 22 Facebook, the first user can “block” the second user from seeing his or her account.

23 44. Facebook has a “like” feature that allows users to give positive feedback
 24 or connect to particular pages. Facebook users can “like” Facebook posts or updates, as
 25 well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook
 26 users can also become “fans” of particular Facebook pages.

27 45. Facebook has a search function that enables its users to search Facebook
 28 for keywords, usernames, or pages, among other things.

1 46. Each Facebook account has an activity log, which is a list of the user's
 2 posts and other Facebook activities from the inception of the account to the present. The
 3 activity log includes stories and photos that the user has been tagged in, as well as
 4 connections made through the account, such as "liking" a Facebook page or adding
 5 someone as a friend. The activity log is visible to the user but cannot be viewed by
 6 people who visit the user's Facebook page.

7 47. Facebook Notes is a blogging feature available to Facebook users, and it
 8 enables users to write and post notes or personal web logs ("blogs"), or to import their
 9 blogs from other services, such as Xanga, LiveJournal, and Blogger.

10 48. The Facebook Gifts feature allows users to send virtual "gifts" to their
 11 friends that appear as icons on the recipient's profile page. Gifts cost money to purchase,
 12 and a personalized message can be attached to each gift. Facebook users can also send
 13 each other "pokes," which are free and simply result in a notification to the recipient that
 14 he or she has been "poked" by the sender.

15 49. Facebook also has a Marketplace feature, which allows users to post free
 16 classified ads. Users can post items for sale, housing, jobs, and other items on the
 17 Marketplace.

18 50. In addition to the applications described above, Facebook also provides
 19 its users with access to thousands of other applications on the Facebook platform. When
 20 a Facebook user accesses or uses one of these applications, an update about that the
 21 user's access or use of that application may appear on the user's profile page.

22 51. Some Facebook pages are affiliated with groups of users, rather than one
 23 individual user. Membership in the group is monitored and regulated by the
 24 administrator or head of the group, who can invite new members and reject or accept
 25 requests by users to enter. Facebook can identify all users who are currently registered to
 26 a particular group and can identify the administrator and/or creator of the group.
 27 Facebook uses the term "Group Contact Info" to describe the contact information for the
 28

1 group's creator and/or administrator, as well as a PDF of the current status of the group
2 profile page.

3 52. Facebook uses the term "Neoprint" to describe an expanded view of a
4 given user profile. The "Neoprint" for a given user can include the following information
5 from the user's profile: profile contact information; News Feed information; status
6 updates; links to videos, photographs, articles, and other items; Notes; Wall postings;
7 friend lists, including the friends' Facebook user identification numbers; groups and
8 networks of which the user is a member, including the groups' Facebook group
9 identification numbers; future and past event postings; rejected "Friend" requests;
10 comments; gifts; pokes; tags; and information about the user's access and use of
11 Facebook applications.

12 53. Facebook also retains Internet Protocol ("IP") logs for a given user ID or
13 IP address. These logs may contain information about the actions taken by the user ID or
14 IP address on Facebook, including information about the type of action, the date and time
15 of the action, and the user ID and IP address associated with the action. For example, if a
16 user views a Facebook profile, that user's IP log would reflect the fact that the user
17 viewed the profile, and would show when and from what IP address the user did so.

18 54. Social networking providers like Facebook typically retain additional
19 information about their users' accounts, such as information about the length of service
20 (including start date), the types of service utilized, and the means and source of any
21 payments associated with the service (including any credit card or bank account number).
22 In some cases, Facebook users may communicate directly with Facebook about issues
23 relating to their accounts, such as technical problems, billing inquiries, or complaints
24 from other users. Social networking providers like Facebook typically retain records
25 about such communications, including records of contacts between the user and the
26 provider's support services, as well as records of any actions taken by the provider or
27 user as a result of the communications.

28

1 55. Therefore, the computers of Facebook are likely to contain all the material
 2 described above, including stored electronic communications and information concerning
 3 subscribers and their use of Facebook, such as account access information, transaction
 4 information, and other account information. I believe such information is likely to help
 5 me locate the fugitive described in this affidavit.

6 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

7 56. I anticipate executing this warrant under the Electronic Communications
 8 Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by
 9 using the warrant to require Facebook to disclose to the government copies of the records
 10 and other information (including the content of communications) particularly described in
 11 Section I of Attachment B. Upon receipt of the information described in Section I of
 12 Attachment B, government-authorized persons will review that information to locate the
 13 items described in Section II of Attachment B.

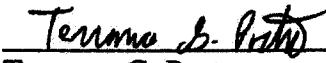
14 57. As indicated in the Motion for Nondisclosure and Motion to Seal that
 15 accompany this affidavit, the government requests, pursuant to the preclusion of notice
 16 provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not
 17 to notify any person (including the subscriber or customer to which the materials relate)
 18 of the existence of this warrant for such period as the Court deems appropriate. The
 19 government submits that such an order is justified because notification of the existence of
 20 this Order would seriously jeopardize the ongoing investigation. Such a disclosure would
 21 give the subscriber an opportunity to destroy evidence, change patterns of behavior,
 22 notify confederates, or flee or continue his flight from prosecution.

23 58. It is further respectfully requested that this Court issue an order sealing all
 24 papers submitted in support of this application, including the application and search
 25 warrant until such dates as provided in the proposed Order. I believe that sealing this
 26 document is necessary because the items and information to be seized are relevant to an
 27 ongoing investigation. Premature disclosure of the contents of this affidavit and related
 28

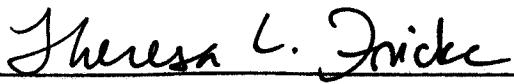
1 documents may have a significant and negative impact on the continuing investigation
2 and may severely jeopardize its effectiveness.

3 **CONCLUSION**

4 59. Based on the forgoing, I request that the Court issue the proposed search
5 warrant. This Court has jurisdiction to issue the requested warrants because it is "a court
6 of competent jurisdiction" as defined by 18 U.S.C. § 2711. *See* 18 U.S.C. §§ 2703(a),
7 (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . .
8 that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).
9 Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not
10 required for the service or execution of these warrants. Accordingly, by this Affidavit
11 and Search Warrant, I seek authority for the government to search all of the items
12 specified in Section I, Attachment B (attached hereto and incorporated by reference
13 herein) to the Warrant, and specifically to seize all of the data, documents and records
14 that are identified in Section II to that same Attachment.

15
16 
17 Terrance G. Postma
18 Special Agent
Federal Bureau of Investigation

19
20 The above-named agent provided a sworn statement attesting to the truth of the
21 contents of the foregoing affidavit on this 16th day of March, 2020.

22
23 
24 HON. THERESA L. FRICKE
25 United States Magistrate Judge

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following accounts, each identified by Facebook user ID (“Subject Accounts”):

- (1) Facebook user ID 100040501718452;
- (2) Facebook user ID 100036795438133;
- (3) Facebook user ID 100027212567730;
- (4) Facebook user ID 100043012699881;
- (5) Facebook user ID 100034984732363;
- (6) Facebook user ID 100027943187927;
- (7) Facebook user ID 100033232150177;
- (8) Facebook user ID 100021247950775;
- (9) Facebook user ID 100027500538828;
- (10) Facebook user ID 100032649540161; and
- (11) Facebook user ID 100034418213234.

for all such information, created on or since **February 14, 2020**, that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in

Attachment A:

A. The following information about the customers or subscribers of the Subject Accounts:

(a) User Neoprint - all user contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers associated with the current profile information, and all wall postings and messages to and from the user.

(b) All activity logs for the Subject Accounts and all other documents showing the user's posts and other Facebook activities;

(c) User photoprint and videos - all photos and videos uploaded, “liked”, or tagged by the user, along with all photos uploaded by any user which have the user tagged in them, any associated photos or links to photos in their original format, including all original meta-data or “EXIF” information;

1 (d) All profile information; News Feed information; status updates; links to
2 videos, photographs, articles, and other items; Notes; Wall postings; friend
3 and family lists, including the friend and family Facebook user
4 identification numbers; groups and networks of which the user is a member,
5 including the groups' Facebook group identification numbers; future and
6 past event postings; rejected "Friend" requests; comments; gifts; pokes;
7 tags; and information about the user's access and use of Facebook
8 applications;

9 (e) All other records of communications and messages made or received by the
10 user, including all private messages, chat history, calling history, and
11 pending "Friend" requests;

12 (f) All "check ins" and other location information;

13 (g) I.P. Logs - all IP logs showing log-in and log-off and intraconnection I.P.
14 activity including I.P. addresses and date/time stamps for account accesses
15 as well as account creation I.P. address, date, and time. Provide source port
16 information for each I.P. log-in and log-off event for the Subject Accounts;

17 (h) All records of the Subject Accounts' usage of the "Like" feature, including
18 all Facebook posts and all non-Facebook webpages and content that the
19 user has "liked";

20 (i) All information about the Facebook pages that each Subject Account is or
21 was a "fan" of;

22 (j) User Friends List/Information – provide a full list of all past and present
23 friends for the Subject Accounts, including all messages and postings
24 between accounts and listed friends;

25 (k) All records of Facebook searches performed by the Subject Accounts;

26 (l) All information about the user's access and use of Facebook Marketplace;

27 (m) The types of service utilized by the user;

28 (n) The length of service (including start date);

- (o) The means and source of payment for such service (including any credit card or bank account number) and billing records;
- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the Subject Accounts;
- (q) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken;
- (r) Names (including subscriber names, Facebook user IDs, and screen names);
- (s) Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
- (t) Local and long distance telephone connection records;
- (u) Push Tokens - any unique identifiers that would assist in identifying the device(s) associated with the Subject Accounts, including push notification tokens associated with the Subject Accounts (including Apple Push Notification (APN), Google Cloud Messaging (GCM), Microsoft Push Notification Service (MPNS), Windows Push Notification Service (WNS), Amazon Device Messaging (ADM), and Baidu Cloud Push, phone numbers, IMEI/ESN, serial numbers, instrument numbers), MAC addresses, IP addresses, email addresses, and subscriber information;
- (v) Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol ("IP" addresses) associated with those sessions along with time, type, machine (including MAC addresses) cookie, city, region, country, device, and browser;
- (w) Facial recognition data;
- (x) Linked accounts;
- (y) Family members associated with the user of each Subject Account;

- 1 (z) Work of the user of each Subject Account;
- 2 (aa) Telephone or instrument numbers or identities (including MAC addresses);
- 3 (bb) Other subscriber numbers or identities (including temporarily assigned
- 4 network addresses and registration IP addresses);
- 5 (cc) User Contact Information – all user contact information input by the user
- 6 including name, birthdate, contact email address(es), other related email
- 7 addresses, address, city, state, zip code, all phone numbers, screen name(s),
- 8 and website information, to include basic subscriber information and
- 9 expanded subscriber information;
- 10 (dd) Group Contact Information – a list of the user's currently registered groups;
- 11 (ee) Location Information – all information pertaining to location data for the
- 12 Subject Accounts, including but not limited to geo-location data and all
- 13 other geo-tagging or geo-location related information;
- 14 (ff) Device Information – all information pertaining to devices used to upload
- 15 photos, posts, messages, or updates, including but not limited to Apple
- 16 UDID, mobile phone number, mobile device ID numbers, and all other
- 17 information related to the devices;
- 18 (gg) Poke Information – all information pertaining to “pokes” initiated by or
- 19 received by the Subject Accounts;
- 20 (hh) Private Messages – all information pertaining to any and all private
- 21 messages to include content, call logs, and location information for the
- 22 Subject Accounts;
- 23 (ii) Facebook Messenger – all information pertaining to any and all incoming
- 24 and outgoing Facebook messenger text strings and conversations for the
- 25 Subject Accounts; and
- 26 (jj) All other account information including: any “about you” information, ads,
- 27 apps and websites, calls and messages, comments, events, following and
- 28 followers, friends, groups, likes and reactions, location history,

1 marketplace, messages, other activity, pages, payment history, photos and
2 videos, posts, profile information, saved items, search history, security and
3 login information, and “your places” information.

4 B. All records and other information (not including the contents of communications)
5 relating to the Subject Accounts, including:

6

7 (a) Records of user activity for each connection activity for each connection
8 made to or from the Subject Accounts, including log files; messaging logs;
9 the date, time, length, and method of connections; data transfer volume;
10 user names; and source and destination of Internet Protocol addresses;
11 (b) Information about each communication sent or received by the Subject
12 Accounts, including the date and time of the communication, the method of
13 the communication (such as source and destination email addresses, IP
14 addresses, and telephone numbers); and
15 (c) Records of any Facebook accounts that are linked to the Subject Accounts
16 by machine cookies (meaning all Facebook user IDs that logged into
17 Facebook by the same machine or device as each Subject Account).

18

19 **II. Information to be seized by the government**

20 All information described above in Section I that relates to the ongoing fugitive
21 investigation involving Santiago Mederos, including, for each user ID identified on
22 Attachment A, information pertaining to the following matters:

23 (a) Any content including e-mails, messages, texts, photographs (including
24 metadata), videos (including metadata), visual images, documents,
25 spreadsheets, address lists, contact lists or communications of any type
26 which could be used to identify the user and or their location.
27 (b) Records relating to who created, used, or communicated with the user ID,
28 including records about their identities and whereabouts.

- (c) All subscriber records associated with the Subject Accounts, including name, address, local and long distance telephone connection records, or records of session times and durations, length of service (including start date) and types of service utilized, telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, and means and source of payment for such service including any credit card or bank account number.
- (d) Any and all other log records, including IP address captures, associated with the Subject Accounts;
- (e) Any records of communications between Facebook and any person about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users about any of the Subject Accounts. This is to include records of contacts between the subscriber and the provider's support services, as well as records of any actions taken by the provider or subscriber as a result of the communications.

1 **CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS**
2 **RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

3 I, _____, attest, under penalties of perjury
4
5 under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the
6 information contained in this declaration is true and correct. I am employed by
7 Facebook, and my official title is _____. I am a custodian
8 of records for Facebook. I state that each of the records attached hereto is the original
9 record or a true duplicate of the original record in the custody of Facebook, and that I am
10 the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I
11 further state that:

14 a. all records attached to this certificate were made at or near the time of the
15 occurrence of the matter set forth, by, or from information transmitted by, a person with
16 knowledge of those matters;

18 b. such records were kept in the ordinary course of a regularly conducted business
19 activity of Facebook; and

21 c. such records were made by Facebook as a regular practice.

22 I further state that this certification is intended to satisfy Rule 902(11) of the
23 Federal Rules of Evidence.

26 Date

Signature